

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
SEATTLE DIVISION

AMA MULTIMEDIA, LLC, a Nevada limited
liability company

Plaintiff,

vs.

SPANKBANG.COM; NIVUN PTE LTD, a
foreign corporation, individually and d/b/a
SPANKBANG.COM; and John Does 1-20,
Defendants.

Case No.: 2:16-cv-00435-RAJ

**DECLARATION OF JASON TUCKER
IN SUPPORT OF PLAINTIFF'S *EX*
PARTE MOTION FOR EARLY
DISCOVERY**

NOTE ON MOTION CALENDAR:
April 14, 2016

I, Jason Tucker, under penalty of perjury, declare and state as follows:

1. I am a United States Citizen, over the age of 18 years old, make this declaration based upon personal knowledge and, if called to testify could and would testify competently to the facts set forth herein.

2. I am a director of Battleship Stance LLC, a leading intellectual property management and anti-piracy enforcement company. Our clients include award winning adult entertainment studios.

DECLARATION OF JASON TUCKER IN SUPPORT
OF PLAINTIFF'S *EX PARTE* MOTION FOR EARLY
DISCOVERY

- 1

FREEMAN LAW FIRM, INC.
1107 ½ Tacoma Avenue South
Tacoma, WA 98042
(253) 383-4500 - (253) 383-4501 (fax)

1 3. I have been in the business of legal adult entertainment production (both on and
2 off the Internet), marketing, and management at an executive level for over ten (10) years,
3 serving for over six (6) years as President of a company that owns and licenses one of the
4 world's largest libraries of erotic images.

5 4. I have served as a consultant to Fortune 100 companies including Microsoft
6 Corporation for the rollout of several versions of Windows Media and in the development and
7 roll out of their Digital Rights Management technology and Akamai Technologies among others.

8 5. As an experienced executive within the adult entertainment industry, I have been
9 featured and quoted in publications including Newsweek, BusinessWeek, USA Today, Wired,
10 and the Washington Post and frequently am requested to speak on panels and at seminars at
11 industry events on various industry related topics and trends.

12 6. I have been involved in more than fifty (50) federal lawsuits brought against a
13 range of defendants for copyright infringement, and have previously served as an expert witness
14 in similar proceedings.

15 7. AMA Multimedia LLC retained Battleship Stance LLC to investigate copyright
16 and trademark violations and assist in certain litigation to enforce its intellectual property rights.

17 8. An Interim Designation of Agent to Receive Notification of Claimed
18 Infringement was filed with the United States Copyright Office specific to the web site
19 spankbang.com. Attached hereto as Exhibit A is a true and correct copy of the Designation.

20 9. This Designation lists Nivun Pte Ltd. as the full legal name of the service
21 provider for spankbang.com, with an address in Singapore.

22 10. I have investigated Nivun Pte Ltd. in Singapore. I did find a reference to
23 Nivun Pte Ltd. as a company in Singapore. However, I could not find any person actually
24

1 associated with the company. There is no listed director, CEO, board members, or even
2 employees of the company. In addition, there is no agent assigned for acceptance of
3 documents for Nivun Pte Ltd.

4 11. The address associated with Nivun Pte Ltd. is nothing more than a mail box
5 location. There is no actual working physical office for Nivun Pte Ltd.
6

7 12. Nivun Pte Ltd. appears to be nothing more than a straw company created to
8 shield the actual operators of spankbang.com.

9 13. The Designation appoints "Copyright Agent" at 6750 N. Andrews Ave, Suite
10 200, Fort Lauderdale, Florida to receive notification of claimed copyright infringements.

11 14. From my previous investigations, I know this address and reference of
12 "Copyright Agent" to be that of Incorporate Now, the same as listed on the letterhead of the
13 Designation filed with the United States Copyright Office. Incorporate Now will have
14 information regarding the true identity of the Defendants, such as direct individual contacts
15 and from whom payment for services is received.
16

17 15. My investigations regarding the website Spankbang.com has revealed the
18 website hosting information as well as the domain and registrar information. The website
19 utilizes servers owned by Cloudflare, Inc. located in Phoenix, Arizona. Defendant
20 Spankbang.Com domain name is held by Whoisguard, Inc., using registrar Enom, Inc.
21 Whoisguard, Inc. is a foreign corporation located in the Republic of Panama. Enom, Inc. is a
22 division of Rightside Operating Co., a Washington corporation with headquarters located in
23 Kirkland, Washington. The vendors will have information regarding the true identity of the
24 Defendants, such as direct individual contacts and from whom payment for services is received.
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1 16. Traffic Haus, LLC, based in San Diego, California, sells advertising on
2 Spankbang.com and pays Defendants for that advertising. Traffic Haus will have information
3 regarding the true identity of the Defendants, such as to whom exactly payment is made.

4 17. From March 26, 2105 through August 28, 2015, Defendants contract with
5 Namecheap, Inc., based in California for DNS services. Defendants subsequently moved to
6 Cloudflare, Inc. for DNS services. Namecheap, Inc. will likely retain information regarding the
7 true identity of the Defendants.
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10 I declare under the penalty of perjury under the laws of the State of Washington that the
11 foregoing is true and correct.
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13 Execute on the 14th day of April, 2016 at Phoenix, Arizona.
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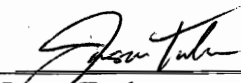
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17 Jason Tucker
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EXHIBIT A



Interim Designation of Agent to Receive Notification of Claimed Infringement

Full Legal Name of Service Provider	Nivun Pte Ltd
Alternative Name(s) of Service Provider (including all names under which the serviceprovider is doing business)	spankbang.com
Address of Service Provider	20 Cecil Street, #14-01 Equity Plaza, Singapore, 049705
Name of Agent Designated to Receive Notification of Claimed Infringement	Copyright Agent
Full Address of Designated Agent to which Notification Should be Sent <small>(a P.O. Box or similar designation is not acceptable except where it is the only address that can be used in the geographic location)</small>	6750 N. Andrews Ave., Suite 200 Fort Lauderdale FL 33309
Telephone Number of Designated Agent :	(954) 773-8743
Facsimile Number of Designated Agent :	(954) 414-0865
Email Address of Designated Agent :	dmca@spankbang.com

Signature of Officer or Representative of the
Designating Service Provider

Date

Typed or Printed Name and Title:

April 2, 2015

Matthew Shayefar, Attorney

Scanned

APR 28 2015

Received

APR 07 2015

Copyright Office